

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

James H. Gaston, Treasurer Texas Democratic Party 919 Congress, Suite 600 Austin, TX 78701

FEB 2 8 2001

Identification Number:

C00099267

Reference:

12 Day Pre-General Report (10/1/00-10/18/00)

Dear Mr. Gaston:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Line 18 of the Detailed Summary Page of your report discloses a total of \$630,121.75 in transfers-in from the non-federal account for shared activity. The sum of the entries itemized on Schedule H3, however, indicates the total to be \$633,051.75. Please amend your report to clarify the discrepancy.

-Schedule A supporting Line 12 discloses a transfer(s)-in from the Schedule B supporting Line 21(b) Democratic National Committee. reflects payments for printing - exempt campaign materials for volunteer distribution and exempt campaign materials - bumperstickers. Please be advised that a state or local party committee may pay for campaign materials (such as bumper stickers) that are distributed by volunteers in connection with activity on behalf of the party's nominees in a general election. Payments for this type of activity are exempt from the definition of a contribution or expenditure if certain conditions are met. conditions are that no public advertising may be used, including distribution by direct mail (mailings by a commercial vendor or from commercial lists); all funds used for the activity must be permitted under the Act; none of the funds used may have been designated for a particular candidate; and finally, payments for the activity may not be made from transfers-in from the national committee to specifically fund the activity. For further guidance, please refer to 11 CFR §100.7(b)(15) and (17) and to the Campaign Guide for Party Committees.

Please clarify the nature of the transfer(s)-in and subsequent payments for the aforementioned disbursement(s). If the activity disclosed on your report does not meet the definition of "exempt" activity as described above and if any portion of the expenditures were made on behalf of specifically identified candidates, that amount must be disclosed on Schedule B or F supporting Line 23 or 25 of the Detailed Summary Page as appropriate

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,

Scott Walker

Reports Analyst

Report Analysis Division

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